IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 17TH OCTOBER 2006 / 25TH ASWINA 1928

Bail Appl..No. 6175 of 2006()

CRIME NO.76/2002 OF NEYYAR DAM POLICE STATION.

PETITIONER

RAJENDRAN @ VETTUKILI RAJAN,
S/O.RAGHAVAN, MALAVILA PONGUMKUZHI VEEDU,
UTHARAMKODE, MANNORKKARA VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR AT HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB-INSPECTOR OF POLICE,
NEYYAR DAM POLICE STATION, THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6175 of 2006

Dated this the 17th October, 2006.

O R D E R

Petitioner is before this Court under Section 438 Cr.P.C., as he is apprehending arrest in Crime No.76/2002 of Neyyar Dam Police Station, in which the final report had already been filed on 29.10.2002, wherein, after the trial, the second accused was convicted. Petitioner is the first accused. As the petitioner was absconding, the case against him was split up and pending as L.P.No.71/2004, on the file of the Judicial First Class Magistrate Court, Kattakkada. Counsel appearing for the petitioner submits that the petitioner was unaware of the pendency of the matter. But, this is being denied by the learned Public Prosecutor.

2. In the above facts situation, I dispose of this application, directing the petitioner to surrender before the Judicial First Class Magistrate Court, Kattakada, on 25.10.2006, at 11 A.M., and move an application for bail. The learned Magistrate shall hear both sides, and pass appropriate orders, on merit.

J.M. JAMES,
JUDGE

nj.